

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR 9004-1(b)**

**837393**

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Attorneys for Secured Creditor: CALIBER HOME  
LOANS, INC.



Order Filed on May 27, 2020  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

In Re:

TEMEKO R. FOSTER  
MICHELLE R. FOSTER

Case No.: 19-27085

Judge: MICHAEL B KAPLAN

**ORDER ON MOTION FOR AUTHORIZATION  
TO ENTER INTO FINAL LOAN MODIFICATION AGREEMENT  
(CHAPTER 13)**

The relief set forth on the following page is **ORDERED**.

**DATED: May 27, 2020**

A handwritten signature of Michael B. Kaplan in black ink, followed by a horizontal line.  
\_\_\_\_\_  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

The Court having reviewed the Motion for Authorization to Enter into Final Loan Modification

Agreement filed on \_\_\_\_\_, as to the \_\_\_\_\_ mortgage [*enter first, second, etc.*] concerning real property located at 400 MAPLE GROVE BOULEVARD, LUMBERTON, NJ 08048, and the Court having considered any objections filed to such motion, it is hereby ORDERED that:

The debtor is authorized to enter into the final loan modification agreement.

1) The loan modification must be fully executed no later than 14 days from the date of this order. If it is not, the secured creditor, within 14 days thereafter, must file with the Court and serve on the debtor, debtor's attorney, if any, and the standing trustee a Certification indicating why the agreement was not fully executed. A response by the debtor, if any, must be filed and served within 7 days of the filed date of the secured creditor's Certification; and

2) Upon the filing of the Certification required above, and absent a response from the debtor, the standing trustee may disburse to the secured creditor all funds held or reserved relating to its claim. Absent the filing of the Certification within the time frame set forth above, the standing trustee will disburse funds on hand to other creditors pursuant to the provisions of the confirmed Plan and any proof of claim filed in this case with respect to the mortgage is deemed modified and incorporated into the Loan Modification Agreement; and

3) Unless the debtor's Plan has been confirmed with 100% paid to unsecured creditors, the debtor must file a Modified Chapter 13 Plan and Motions within 14 days of consummation of the loan modification. If the loan modification results in material changes in the debtor's expenses, the debtor must also file amended Schedules I and J within 14 days of the date of this Order; and

4) Check one:

There is no order requiring the debtor to cure post-petition arrears through the Plan; or

Post-petition arrears are capitalized into the loan modification agreement, and the Order filed on \_\_\_\_\_ requiring the Standing Trustee to make payments based on the arrearage is vacated as of the date of this order; or

Post-petition arrears have not been capitalized into the loan modification agreement and the Standing Trustee will continue to make payments to the secured creditor based on the Order filed on \_\_\_\_\_; and

5) If fees and costs related to loss mitigation/loan modification are sought by the debtor's attorney, an Application for Compensation in compliance with D.N.J. LBR 2016-1 must be filed.

The Motion for Authorization to Enter into Final Loan Modification Agreement is denied.

In re:  
Temeko R. Foster  
Michelle R. Foster  
Debtors

Case No. 19-27085-MBK  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: May 27, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 29, 2020.

db/jdb +Temeko R. Foster, Michelle R. Foster, 400 Maple Grove Boulevard, Lumberton, NJ 08048-4618

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 29, 2020

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 27, 2020 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Andrew L. Spivack on behalf of Creditor CALIBER HOME LOANS, INC. nj.bkecf@fedphe.com  
Denise E. Carlon on behalf of Creditor MEB Loan Trust IV dcarlon@kmllawgroup.com,  
bkgroup@kmllawgroup.com  
Douglas J. McDonough on behalf of Creditor Bank of America, NA DMcDonough@flwlaw.com  
Lee Martin Perlman on behalf of Joint Debtor Michelle R. Foster ecf@newjerseybankruptcy.com,  
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com  
Lee Martin Perlman on behalf of Debtor Temeko R. Foster ecf@newjerseybankruptcy.com,  
mcdoherty@ecf.courtdrive.com;hspivak@ecf.courtdrive.com  
Nicholas V. Rogers on behalf of Creditor CALIBER HOME LOANS, INC. nj.bkecf@fedphe.com  
Nicholas V. Rogers on behalf of Creditor LOANCARE, LLC nj.bkecf@fedphe.com  
Robert Davidow on behalf of Creditor LOANCARE, LLC nj.bkecf@fedphe.com  
Sindi Mncina on behalf of Creditor CALIBER HOME LOANS, INC. smncina@rascrane.com  
U.S. Trustee USTPRRegion03.NE.ECF@usdoj.gov

TOTAL: 11